

VZCZCXYZ0000
RR RUEHWEB

DE RUEHGT #0700 1542249
ZNR UUUUU ZZH
R 022249Z JUN 08
FM AMEMBASSY GUATEMALA
TO SECSTATE WASHDC 5471

UNCLAS GUATEMALA 000700

SIPDIS

E.O. 12958: N/A

TAGS: [PHUM](#) [MOPS](#) [MARR](#) [KJUS](#) [KCRM](#) [PGOV](#) [GT](#)

SUBJECT: GUATEMALAN COURT SENTENCES 5 FORMER CIVIL DEFENSE
PATROL MEMBERS FOR RIO NEGRO MASSACRE

1. On May 28, a Guatemalan court convicted and sentenced five former Civil Defense Patrol members (local civilian militias trained and supervised by the Guatemalan military) to 780 years in prison for the March 1982 murder of 177 civilians -- 70 women and 107 children -- in Rio Negro, Baja Verapaz, an area of heavy guerrilla activity during the country's internal conflict. The 780-year sentence was based on the maximum penalty of 30 years for murder for each of the 26 identified victims. Each defendant would serve, at most, 30 years in prison, the maximum penalty for murder under the 1969 Penal Code that was in effect at the time of the massacre.

2. The court also ordered the defendants to pay a total of Q100,000 (USD13,333) in compensation to the families of the 26 victims, and ordered the capture of former Army Captain Jose Antonio Solares Gonzalez, who remains at large despite a 2003 court order for his arrest, and former Civil Defense Patrol members Ambrosio Perez Laju and Domingo Chen.

3. The families of the victims applauded the decision but lamented that the case was not treated as a case of genocide, torture, or massacre. Human rights activist Carmen Aida Ibarra of the Myrna Mack Foundation agreed, noting that the defendants were tried for the common crime of murder. She argued that this was a human rights case which should have been prosecuted as a case of massacre or genocide.
Derham